

2195W

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

09/976,930

Filing Date

October 11, 2001

First Named Inventor

Clifford L. Hersh

Art Unit

2195

Examiner Name

Nilesh R. Shah

Attorney Docket Number

PA1950US

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/ Incomplete Application

☐

Reply to Missing Parts under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a Provisional Application

☐

Power of Attorney, Revocation Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐ Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board of Appeals and Interferences

☐

Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify below):

- 1) Confirmation postcard;
- 2) Duplicate of IDS (2 pg);
- 3) PTO/SB/08 (x2);
- 4) Copies of two cited references

Remarks

Total page number does not include postcard or copies of cited references.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Carr & Ferrell LLP

Cust. No. 22830

Signature

Printed name

Steven M. Colby

Date

October 25, 2005

Reg. No.

50,250

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Steven M. Colby, Reg. No. 50,250

Date

October 25, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Clifford L. Hersh
APPLICATION NO.: 09/976,930
FILED: October 11, 2001
TITLE: Multiphase System and Method of Performing Operations
on Data Structures
EXAMINER: Nilesh R. Shah
GROUP ART UNIT: 2195
ATTY.DKT.NO.: PA1950US

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
Under 37 C.F.R. §§ 1.56, and 1.97-1.98

SIR:

Pursuant to the provisions of 37 C.F.R. §§ 1.56 and 1.97-98 of the Rules of Practice in Patent Cases, enclosed herewith is form PTO-SB-08 listing several references, copies of which are enclosed. The Examiner is requested to make these references of official record in the application. The references cited may be material to examination of the application and are submitted in compliance with Applicant's duty of disclosure as defined by 37 C.F.R. § 1.56.

Pursuant to 37 C.F.R. §1.97(e), Applicant states that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the Applicant's representative after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this information disclosure statement.

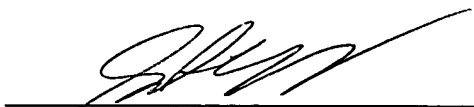
No representation is made or intended as to the completeness of this list, nor is the inclusion of any reference on this list an admission that it is prior art or pertinent to this application.

Applicant believes no fee is due with this submission. If a fee is due, however, the Commissioner is hereby authorized to charge any necessary fee to Account Number 06-0600. A copy of this statement is submitted in duplicate for this purpose.

Respectfully submitted,
Clifford L. Hersh

Dated: October 25, 2005

By: _____

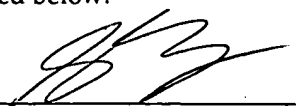

Steven M. Colby, Reg. No. 50,250
Carr & Ferrell LLP
2200 Geng Road
Palo Alto, CA 94303
TEL: (650) 812-3400
FAX: (650) 812-3444

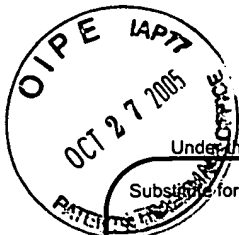
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date printed below:

Dated: October 25, 2005

By: _____


Steven M. Colby, Reg. No. 50,250



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	09/976,930
Filing Date	October 11, 2001
First Named Inventor	Clifford L. Hersh
Art Unit	2195
Examiner Name	Nilesh R. Shah
Attorney Docket Number	PA1950US

Sheet	1	of	1
-------	---	----	---

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		BAER et al., "A Comparison of Tree-Balancing Algorithms," Communications of the ACM, Vol. 20, Issue 5, pp. 322-330 (May 1977).	
		CANNADY, "Balancing Methods for Binary Search Trees," Proceedings of the 16th Annual ACM Southeast Regional conference, pp. 181-186 (1978)	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.